

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In Re
CHAVEZ,

Petitioner.

Case No. [20-cv-03853-EMC](#)

ORDER OF DISMISSAL

Docket No. 1

Petitioner filed a one-page document entitled “emergency petition for an immediate writ[] of [habeas] corpus” in which he listed several medical conditions as well as his plans for life after prison; although he did plead any entitlement to release, the point of the document seemed to be that he wanted to be released from custody. Docket No. 1. In an effort to protect his rights, a new action was opened and the document was filed on June 11, 2020. A notice was sent to Petitioner that day informing him that he had not filed a petition for writ of habeas corpus on the proper form, and had 28 days to do so or the action would be dismissed. Docket No. 2. Another notice was sent to Petitioner that day informing him that he had not paid the filing fee or applied for leave to proceed *in forma pauperis*, and had 28 days to either pay the fee or file the application or the action would be dismissed. Docket No. 3. Petitioner did not file a petition for writ of habeas

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1 corpus, nor did he file an *in forma pauperis* application or pay the fee. This action therefore is
2 **DISMISSED** without prejudice for failure to file a pleading showing the court has subject matter
3 jurisdiction. The Clerk shall close the file.

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5 **IT IS SO ORDERED.**

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7 Dated: August 20, 2020

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11 EDWARD M. CHEN
12 United States District Judge
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